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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Avner YAYON et al.

Confirmation No.: 5324

Application No.: 10/734,661

Group Art Unit: 1645

Filing Date: December 15, 2003

Examiner:

For: ANTIBODIES THAT BLOCK RECEPTOR  
PROTEIN TYROSINE KINASE  
ACTIVATION, METHODS OF SCREENING  
FOR AND USES THEREOF

Attorney Docket No.: 81408-4400

**TRANSMITTAL OF POWER OF ATTORNEY BY ASSIGNEES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed for filing in the above-referenced patent application is a Power of Attorney by Assignees and Exclusion of Inventor(s) Under 37 C.F.R. 3.71, executed by both assignees herein.

No fee is believed to be due in connection with this filing. However, should any fees be due, please charge such fees to Winston & Strawn LLP Deposit Account No. 50-1814.

Respectfully submitted,

6/22/04  
Date

Rodney J. Fuller  
Rodney J. Fuller (Reg. No. 46,714)  
For: Allan A. Fanucci (Reg. No. 30,256)

**WINSTON & STRAWN LLP**  
Customer No. 28765

202-371-5904



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Avner YAYON, et al.

Application No.: 10/734,661

Group Art Unit:

Filed: December 15, 2003

Examiner:

For: ANTIBODIES THAT BLOCK RECEPTOR  
PROTEIN TYROSINE KINASE ACTIVATION,  
METHODS OF SCREENING FOR AND USES  
THEREOF

Attorney Docket No.: 81408-4400

**POWER OF ATTORNEY BY ASSIGNEES  
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The undersigned assignees of the entire interest in the above-identified subject application hereby appoint Allan A. Fanucci (Reg. No. 30,256) and Daniel J. Hulseberg (Reg. No. 36,554) of WINSTON & STRAWN LLP (Customer No. 28765) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith.

Please direct all correspondence for this application to Customer No. 28765 to the attention of Allan A. Fanucci, telephone (212) 294-3311, facsimile (212) 294-4700.

Each undersigned has reviewed this assignment and, to the best of each undersigned's knowledge, title is in each of the assignees seeking to take action in this application and that each undersigned is empowered to act on behalf of the respective assignee. An assignment of the entire interest in the above-identified subject application is submitted herewith for recording.

**PROCHON BIOTECH, LTD.**

By: Avner Yayon

Typed Name: Dr Avner Yayon

Position/Title: CEO, CSO  
Prochon

Address: Kiryat Weizman, Industrial Park  
P.O. Box 1480, Rehovot 76114  
ISRAEL

Date: June 9, 2004

**MORPHOSYS AG**

By: Dr. Bernhard Kimmels

Typed Name: Dr. Bernhard Kimmels

Position/Title: Senior Director,  
Intellectual Property

Address: Lena-Christ-Strasse 48  
82152 Martinsreid/Munich  
GERMANY

Date: June 7, 2004

## ASSIGNMENT

WHEREAS, each of

**Avner YAYON**, a citizen of Israel, residing at Sitria #104, Moshav Sitria 76834 Israel;

**Eran ROM**, a citizen of Israel, residing at 43b Gordon Street, 76287 Rehovot, Israel;

**Elisabeth THOMASSEN-WOLF**, a citizen of Germany, residing at Einsteinstrasse 10, 82152 Martinsried, Germany; and

**Eric BORGES**, a citizen of Germany, residing at Pentenriederstrasse 32, 82152 Krailing, Germany;

ASSIGNOR, is an inventor of the invention in **ANTIBODIES THAT BLOCK RECEPTOR PROTEIN TYROSINE KINASE ACTIVATION, METHODS OF SCREENING FOR AND USES THEREOF**, for which an application for a Patent of the United States, identified by Winston & Strawn LLP Docket No. 81408-4400:

- ☐ is executed on even date herewith; or  
☒ was filed on December 15, 2003 as Application No. 10/734,661; and

WHEREAS, each of

**PROCHON BIOTECH, LTD.**, a company of Israel having a place of business at 2 Holzmann Street, Weizman Industrial Park, P.O. Box 1480, Rehovot 76114, Israel; and

**MORPHOSYS AG** a company of Germany having a place of business at Lena-Christ-Strasse 48, 82152 Martinsried/Munich, Germany,

ASSIGNEE, is desirous of obtaining each inventor's entire right, title and interest in, to and under the said invention and the said application

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to each inventor in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, each ASSIGNOR has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto each ASSIGNEE, its successors, legal representatives and assigns, his or her entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries other than the United

priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

And each ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to each ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument;

And each ASSIGNOR hereby covenants and agrees that he or she has the full right to convey the entire interest herein assigned, and that he or she has not executed, and will not execute, any agreement in conflict herewith;

And each ASSIGNOR hereby further covenants and agrees that he or she will communicate to each ASSIGNEE, its successors, legal representatives and assigns, any facts known to him or her respecting said invention, testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid each ASSIGNEE or, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries;

And each ASSIGNOR hereby authorizes ASSIGNEES' patent attorney to complete this form by the addition of the application number, application filing date, and attorney docket number, if necessary.

In witness whereof, each inventor has affixed his or her signature.

28/12/03  
Date

Avner YAYON  
Avner YAYON

On this 28<sup>th</sup> day of December, 2003, before me appeared **Avner YAYON**, to me known and known to me to be the person of that name, who signed the foregoing instrument, and acknowledged the same to be his/her free act and deed.

Shirley  
Witness

Dec 29<sup>th</sup>, 2003  
Date

Eran ROM  
Eran ROM

On this 28<sup>th</sup> day of December, 2003, before me appeared **Eran ROM**, to me known and known to me to be the person of that name, who signed the foregoing instrument, and acknowledged the same to be his/her free act and deed.

Shirley  
Witness

Dec. 12, 03  
Date

E. Thomassen-Wolf  
Elisabeth THOMASSEN-WOLF

On this 12 day of December, 2003, before me appeared **Elisabeth THOMASSEN-WOLF**, to me known and known to me to be the person of that name, who signed the foregoing instrument, and acknowledged the same to be his/her free act and deed.

V. Amv  
Witness

Dec, 18, 2003  
Date

Eric BORGES  
Eric BORGES

On this 18<sup>th</sup> day of Dec., 2003, before me appeared **Eric BORGES**, to me known and known to me to be the person of that name, who signed the foregoing instrument, and acknowledged the same to be his/her free act and deed.

V. Amv  
Witness